

Response to the Toast

THE COUNTRY LAWYER

BY JAMES A. CONNOLLY

Of Springfield, Illinois

At the Annual Banquet of the Illinois State Bar
Association, held at Springfield,
January 25, 1893.

TOAST

“THE COUNTRY LAWYER”

RESPONSE BY JAMES A. CONNOLLY,

OF SPRINGFIELD, ILL.

AT THE ANNUAL BANQUET OF THE ILLINOIS STATE BAR ASSOCIATION,
HELD AT THE LELAND HOTEL, SPRINGFIELD,
JANUARY 25, 1893.

As there may be differences of opinion concerning the limitation of the subject assigned to me, I will assume that it relates to all but metropolitan lawyers, inasmuch as it is the fashion of the day to speak of the country as including every place outside the boundary lines of a metropolis.

While the Country Lawyer might be classically termed “Rusticus,” yet if we take him as a class he will be found anything but a *rusty cuss*, when it comes to a dexterous use of the “nice sharp quilllets of the law.”

His clothes may not fit him like those of his city brother, but that is the fault of his tailor.

His hair and beard may not be trimmed in “Fashion Plate” style, but that is the fault of his barber.

His office may not be swept and dusted daily; the horn books on his shelves may not be bright and clean as in

the library of his city brother, and smart, clean volumes of Reports and Digests may not be so numerous, but what *are* there look like old soldiers just returned from a long campaign—they have seen service.

While Hale, Coke, Blackstone, Chitty, Stephens, Story, if they could return, would feel like unnaturalized foreigners in the offices of his metropolitan brother, they could drop into the Country Lawyer's office and feel at home, for they would find the cream of their life work holding the place of honor on his book shelves, and their names household words.

The Country Lawyer loves "old friends, old books," and before the advent of the Prohibs, he loved the other member of the famous trinity—"old wine"—generally of the Kentucky brand.

The Country Lawyer is a ruminant animal.

He don't swallow his legal food hastily, but he walks into the rich pasture fields of the horn books, knee deep, and filling himself, retires to chew it over and over, until healthy digestion enables him to assimilate it, and make it a part of himself.

He don't have to hurry. He don't have to eat, sleep, think according to a time table made by some street or steam railroad company.

He makes his own time table, changes it to suit his own convenience, and is therefore always on time.

He makes the trip from sun to sun once every twenty-four hours, just as well as his hurrying metropolitan brother, even if he does not move forward quite as rapidly to the place where "*Finis*" is to be written on his last page.

While the metropolitan lawyer may be the clown in the circus, winning the applause of the *half* tickets by his quibs, his tumbles, and his swelling importance, the Country Lawyer is the all around variety man who holds the attention of the *whole* tickets, by his bare back riding, ground and lofty tumbling, tight rope walking, and blowing the trombone in the band.

The Country Lawyer is the nag that can pull his share of a load of corn to market, or be stripped of his harness, mounted, and run and win a race at the cross roads.

The Country Lawyer is something like the poet; he is more *born* than *made*, and Humor presided at his birth, for a good joke never gets inside the lines of his county without giving him a call.

Skim the cream off the milk in your dairy, and what have you left?

Skim the *country cream* off your metropolitan bar, and what have you left?

According to Darwin, it took a long time for the process of evolution to "evolute" the tails off our ancestors, so that their descendants might comfortably wear fashionable trousers, but the process of evolution works more rapidly on the Country Lawyer, and often, when we find a metropolitan brother winning all the races on the kite-shaped

track of a metropolis, until he attracts the world's attention, when the world hunts up his pedigree and training, it finds him, as a colt, putting on legal muscle by nibbling the short, stubby grass of jury trials around the primitive courts of country justices.

Such early feed, in the legal pastures of the country, gives wind and metal to the legal racer, and makes him a thoroughbred, as surely as the limestone soil and blue grass of Kentucky, or the ozone of California gives it to the equine thoroughbred.

And when, in his mature years, he wins the metropolitan races, he forgets the plaudits which greet him, while his thoughts turn back with pleasure to the scanty country pasturage of his early days, wherein he had to hustle from

"Early morn 'till dewy eve,"

for a living.

With the Country Lawyer the law is still a profession, while with his metropolitan brother it is a business at all times, except when attending Bar Associations.

Bar Associations are a modern institution. They are an innovation upon the established ways of our professional fathers, and the Country Lawyer takes to innovation very slowly. Indeed, it looks as though it would take the Country Lawyer as long to get in the way of attending Bar Associations as it did to work the tails off our ancestors.

The Country Lawyer is a good deal of a fixture—he is the trunk of the tree—while his metropolitan brethren are the branches.

The *beauty* of the tree is in the branches, but the *sap* is in the trunk. The branches bathe in the sunshine and wave in the breeze because the trunk supports, uplifts, sustains them, and gives them new life when they droop and fail.

The Country Lawyer is an Eclectic, while his metropolitan brother is fast becoming a Homeopath, dealing in specifics and specialties.

In the broad field of equity the Country Lawyer roams confident and at ease, armed with all the weapons of full and even justice, while his metropolitan brother rarely ventures into these fields unless preceded by an injunction, which he relies on as often and as implicitly as the darky does on his rabbit foot.

The Country Lawyer can, if he choose, live by the rule quoted by Sir Edward Coke:

"Six hours to sleep, in law's grave study, six,
Four spent in prayer, the rest on Nature fix."

But his surroundings force our metropolitan brother to live by the rule of Sir William Jones:

"Seven hours to law, to soothing slumber seven,
Ten to the world allot, and none to heaven."

Metropolitan law colleges are factories that turn out keen polished pocket knives and razor blades.

Country law offices are factories that turn out broad axes.

When comes the conflict between Right and Wrong the broad axe is better than the pocket knife or razor blade, though not so polished or so keen of edge.

When truth is to be rescued from the wilderness of falsehood the broad axe is the weapon needed.

When the interests of corporations and capital are involved, the smaller, keener, more polished blades are highly effective, but when the life, the liberty or the property of the citizen are assailed, the broad axe is the weapon for their defense.

When the foundations for the jurisprudence of a State are to be shaped, the broad axe is indispensable.

As Nature, in all her varied moods of storm and sunshine, furnishes the Indian with tropes and similes wherewith he garnishes his rude speech to the point of touching eloquence, so does Nature, in her daily touch of the Country Lawyer,—Nature as it comes to him in the spreading fields, the clear skies, the unstudied gossip of neighbors, and the shrewd but homely speech of those among whom he lives, give to him a strength, a copiousness of illustration, an insight into the motives and minds of men, that enables him to touch with master hand the chords that lead to their hidden thoughts, and move them at his will.

The law is a coy maiden. She is not to be had for the asking.

She dislikes the “sounding brass and the tinkling cymbal,” and flies from war’s alarms.

The rude jostling she meets with in the busy metropolis, where the dollar is Deity, makes her shrink from it, and exclaim with Young:

“Give me, indulgent Gods! with mind serene,
 And guiltless heart, to range the sylvan scene;
 No splendid poverty, no smiling care,
 No well bred hate, no servile grandeur there.”

The Country Lawyer is an American product. It don't flourish in Europe. The law there is *not* a coy maiden, but a worried and worn old wife, married to Force, but she has no control over the house, except when the old man is asleep, and even then she gives her orders with bated breath, lest it may awake him and drive her out of the house, as he has so often done.

The Country Lawyer cannot flourish under such a regime, for he is a guard on the people's watch tower, and has always been first to sound the alarm when Force was found attempting to usurp the domain of law.

The Country Lawyer, by years of calm study, undisturbed by smiles of fortune, years of reflection, of observation, and of friction against his fellows in the every day walks of life, gradually gains wisdom, as the bee gathers honey, and strength, as the athlete gains it, by daily endeavor, until year after year in our Nation's history, we find him coming from the obscurity of his country law office to lead the bar of a metropolis, to adorn the bench of State and Federal Courts, and crystalize into enduring law the wisdom he gained in his country practice and life, by the study of those books which God made—the minds, the thoughts, the aspirations, the feelings of his fellow men with whom he was so long and so closely in touch, during his years as a Country Lawyer.

Life may not bring to him as many golden sheaves as to his metropolitan brother, but if the intellectual part of man survives, and we believe it does, it brings to him that which he can take with him when Charon comes to ferry him over, whereas the golden sheaves, so laboriously gathered, might be left behind in eternal quarantine, as infected baggage, while he leaves to the generations that are to follow, the legacy of a jurisprudence enriched by him, for the protection of the life, liberty and property of man.

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